

67:13:01:02. Standard utility allowance. The standard utility allowance includes charges to the household for heating or cooling, cooking fuel, electricity, water, garbage, sewer, trash collection, and telephone. Households do not have to incur either a heating or a cooling expense in every month. Only those households that are billed separately from their rent or mortgage payments for heating or cooling and those households that receive low income energy assistance may deduct the standard utility allowance when computing the shelter expense. The standard utility allowance for households eligible under this section is ~~\$610~~ \$645 a month.

Heating costs are those costs incurred from a primary source of heat, such as propane, oil, and electricity.

Cooling costs are limited to either the utility costs required to operate an evaporative cooling system or the electricity required to operate a window air conditioner or a central air conditioning unit.

Source: 6 SDR 49, effective November 18, 1979; 7 SDR 53, effective December 11, 1980; transferred from § 67:12:10:02, 7 SDR 66, 7 SDR 89, effective July 1, 1981; 8 SDR 79, effective January 7, 1982; 9 SDR 72, effective December 14, 1982; 9 SDR 138, effective May 8, 1983; 10 SDR 11, effective August 15, 1983; 10 SDR 94, effective March 8, 1984; 11 SDR 129, effective March 31, 1985; 12 SDR 102, effective December 26, 1985; 14 SDR 87, effective December 27, 1987; 16 SDR 114, effective January 15, 1990; 17 SDR 127, effective March 3, 1991; 20 SDR 104, effective January 10, 1994; 23 SDR 122, effective February 6, 1997; repealed; 25 SDR 115, effective March 24, 1999; 27 SDR 111, effective April 19, 2001; 28 SDR 84, effective December 20, 2001; 30 SDR 116, effective February 4, 2004; 31 SDR 107, effective February 1, 2005; 32 SDR 129, effective February 1, 2006; 34 SDR 180, effective December 26, 2007.

General Authority: SDCL 28-12-1.

Law Implemented: SDCL 28-12-1; 78 Stat. 703 (1964) as amended; 91 Stat. 958 (1977) as amended; 7 U.S.C. §§ 2011-2027, inclusive; 43 Fed. Reg. 47,906 (October 17, 1978).

Cross-Reference: Standard utility allowance, 7 C.F.R. § 273.9(d)(6).

67:13:01:05. Households ineligible for standard utility allowance but billed for telephone.

Households not eligible for the standard utility allowance but billed for a telephone are entitled to a standard allowance of ~~\$41~~ \$43. These households may not deduct the actual costs for telephone services.

Source: 8 SDR 79, effective January 7, 1982; 10 SDR 94, effective March 8, 1984; 11 SDR 129, effective March 31, 1985; 12 SDR 102, effective December 26, 1985; 13 SDR 145, effective April 12, 1987; 14 SDR 87, effective December 27, 1987; 16 SDR 114, effective January 15, 1990; 18 SDR 163, effective April 6, 1992; 20 SDR 104, effective January 10, 1994; 23 SDR 122, effective February 6, 1997; 31 SDR 107, effective February 1, 2005; 32 SDR 129, effective February 1, 2006; 34 SDR 180, effective December 26, 2007.

General Authority: SDCL 28-12-1.

Law Implemented: SDCL 28-12-1; 78 Stat. 703 (1964) as amended; 91 Stat. 958 (1977) as amended; 7 U.S.C. §§ 2011-2027, inclusive; 43 Fed. Reg. 47,906 (October 17, 1978).

Cross-Reference: States to develop telephone allowance, 7 C.F.R. § 273.9(d)(6)(iv)(C).

67:13:01:06. Households ineligible for standard utility allowance but billed separately for various utilities. A household that is not eligible for the standard utility allowance but which incurs expenses for at least two separate types of utilities is eligible for a limited utility allowance. Types of utilities considered include electricity and fuel used for purposes other than heating or cooling, water, sewage, telephone, or garbage collection. The limited utility allowance for eligible households is ~~\$174~~ \$181 a month.

A household that is not eligible for either the standard or limited utility allowance but which incurs an expense for one type of utility is eligible for a one-utility allowance. Types of utilities considered include electricity and fuel used for purposes other than heating or cooling, water, sewage, or garbage collection. The one-utility allowance for an eligible household is ~~\$70~~ \$74 a month.

Source: 8 SDR 79, effective January 7, 1982; 9 SDR 138, effective May 8, 1983; repealed, 25 SDR 115, effective March 24, 1999; reinstated, 30 SDR 116, effective February 4, 2004; 31 SDR 107, effective February 1, 2005; 32 SDR 129, effective February 1, 2006; 34 SDR 180, effective December 26, 2007.

General Authority: SDCL 28-12-1.

Law Implemented: SDCL 28-12-1.

Cross-Reference: Standard utility allowances, 7 C.F.R. § 273.9(d)(6)(iii).